

03/14/01
J1052 U.S. PTO

03-15-01

09/787368

532 Rec'd PCT/PTO 14 MAR 2001

NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)

[x] Duplicate
(check, if applicable)

J1002 U.S. PTO
09/787368
03/14/01

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Attorney Docket No. 071550.0023
Express Mail Label No. EL098882611US
Total Pages of Transmittal Form: 4

Sir:

Transmitted herewith for filing is the non-provisional utility patent application of:

Inventors:

Chenicheri Hariharan NAIR
Residence: Castle Hill, New South Wales, 2154, Australia
Citizen: Australia

Dennis Bryan RYLATT
Residence: Ryde, New South Wales, 2112, Australia
Citizen: Australia

Andrew Mark GILBERT
Residence: Eastwood, New South Wales, 2086, Australia
Citizen: Australia

Post Office Address for all of the above inventors:
c/o Gradipore, Ltd.,
22 Rodborough Road, French Forest,
New South Wales, 2086 AUSTRALIA

Entitled: PURIFICATION OF BLOOD CLOTTING PROTEINS

which is:

an ☐ Original; or

a ☒ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP)

of prior PCT Application No. PCT/AU99/00653 filed August 11, 1999 & Publication No.
WO 00/09540, Publication Date February 24, 2000.

Anticipated Group/Art Unit: _____ or Class _____, Subclass _____.

☐ This non-provisional patent application is based on Provisional Patent Application
No. &@, filed &@.

the PTO did not receive the following
listed item(s):
copy of the PCT application
for the PCT application

Attorney Docket No. 071550.0023

Inventors: Chenicheri H. NAIR et al.

Page 2 of 4

- ☒ This application hereby claims foreign priority benefits under Title 35, United States Code, § 119 of any foreign application for patent or inventor's certificate on the invention listed below.

Prior Foreign Application

			Priority Claimed	
			[X]	[]
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
PP5212	AUSTRALIA	12 August 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Assignee: GRADIPORE, Ltd., 22 Rodborough Road, French Forest, New South Wales, 2086, Australia

Enclosed are:

- ☒ Copy of International Application as filed (with Specification, Abstract and claims): **24** pages.
- ☒ Copy of International Application Published Under the PCT w/4 Drawings
- ☐ Newly executed Declaration/Power of Attorney (original/ copy).
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☐ # drawings (formal – ___ pp) plus one copy (**Fig. x - x**).
- ☒ Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b)
- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
 - ☐ Computer readable copy ☐ Paper Copy ☐ Verified Statement.
- ☐ Under PTO-1595 cover sheet, an assignment of the invention.
- ☐ Certified copy of _____ Application No(s). 2000-268371; filed August 31, 2000 is/are filed:
 - ☐ herewith or ☐ in prior application &@.
- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☒ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Preliminary Amendment.
- ☒ Information Disclosure Statement, PTO-1449, and cited references of PCT International Search Report.

Attorney Docket No. 071550.0023

Inventors: Chenicheri H. NAIR et al.

Page 3 of 4

- ☐ Recordation cover sheet with Assignment & Declaration
☒ Prepaid postage return postcard – please stamp and return.
☒ Other: International Preliminary Examination Report with amended pages submitted under Article 34 (pp 2, 3, 4, 5, 6, 21, 22, 23 and 24).

The filing fee is calculated as follows:

			SMALL ENTITY		LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:		BASIC FEE:	
			\$355		\$710	
Total	15-20 =	0	X9	\$	OR	X18 \$ 00.00
Independent	6-3 =	3	X40	\$	OR	X80 \$ 120.00
<input type="checkbox"/> Multiple Dependent Claims Present			\$135	\$	OR	\$270 \$
<input checked="" type="checkbox"/> Recordation/Assignment			\$ 40.00			\$40.00 \$ 00.00
			TOTAL	\$	OR	TOTAL \$ 475.00

- ☐ The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- ☒ Check in the amount of \$475.00 & \$620.00 to cover basic filing and Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b).
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-1017 (071550.0023)** as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☐ Filing fee in the amount of \$_____ as calculated above.
- ☐ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☐ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

09/787368

532 Rec'd PCT/PTO 14 MAR 2001

Attorney Docket No. 071550.0023

Inventors: Chenicheri H. NAIR et al.

Page 4 of 4

March 14, 2001
(Date)

By: Alex Chartove

Alex Chartove

Registration No. 31,942

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☒ Customer Number or Bar Code Label: 000270

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Chenicheri Hariharan Nair, et. al.
 FOR : PURIFICATION OF BLOOD CLOTTING
 PROTEINS
 U.S. SERIAL NO. : not yet assigned
 U.S. FILING DATE : March 14, 2001
 INTERNATIONAL APP NO. : PCT/AU99/00653
 INTERNATIONAL FILING DATE : August 11, 1999
 DOCKET NO. : 75978/10787

09787368

TRANSMITTAL

Box PCT
 Attention: PCT Legal Office
 Assistant Commissioner for Patents
 Washington, DC 20231

RECEIVED
 19 JUL 2001
 Legal Staff
 International Division

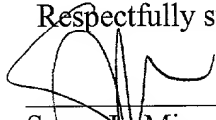
Dear Sirs:

Please find enclosed the following Documents for filing:

1. Recordation form cover sheet to record the Assignment from Chenicheri Hariharan Nair, Dennis Bryan Rylatt, and Andrew Mark Gilbert to Gradipore Limited and a check in the amount of \$40.00;
2. Power of Attorney and Revocation of Prior Powers; and
3. Statement Under 37 CFR §3.73(b)

In the event there are any fees due with the filing of these documents, the Commissioner is authorized to charge Deposit Account No. 50-0902.

Respectfully submitted,



Susan E. Mizer
 Reg. No. 38,245
 ARTER & HADDEN LLP
 1100 Huntington Building
 925 Euclid Avenue
 Cleveland, Ohio 44115
 Telephone: (216) 696-3466
 Facsimile: (216) 696-2645

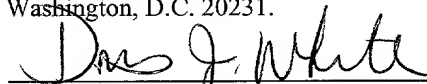
09787368

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: _____

6/8/01



Name: Doris J. White

590805.1
75978/10787

PTO/SB/96 (6-98)

Approved for use through 09/30/2000.OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Gradipore LimitedU.S. Application No./Patent No.: not yet assigned Filed/Issue Date: March 14, 2001

U.S. National Stage Filing for International Application No. PCT/AU99/00653; Filing Date: August 11, 1999

Entitled: PURIFICATION OF BLOOD CLOTTING PROTEINS

Gradipore Limited, an

(Name of Assignee)

Australian Corporation

(Type of Assignee, e.g. a corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☐ A chain of title from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below.1. From: Chenicheri Hariharan Nair To: Gradipore Limited
The document was recorded in the Patent and Trademark Office at:
Reel _____, Frame _____, or for which a copy thereof is attached.2. From: Dennis Bryan Rylatt To: Gradipore Limited
The document was recorded in the Patent and Trademark Office at:
Reel _____, Frame _____, or for which a copy thereof is attached.3. From: Andrew Mark Gilbert To: Gradipore Limited
The document was recorded in the Patent and Trademark Office at:
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8).

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date

8/6/01

Signature

Tim Wawn

Print Name

Managing Director

Print Title

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington DC 20231. 590473.1

03-15-01

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EXPRESS MAIL LABEL NO. EL098882611US

PATENT

42



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of
Chenicheri Hariharan Nair, *et al.*

U. S. Appln. No.: Not Yet Assigned

U. S. Filing Date: March 14, 2001

International
Appln. No.: PCT/AU99/00653

International
Filing Date: August 11, 1999

For: PURIFICATION OF BLOOD
CLOTTING PROTEINS

: Attorney Docket
: No. 071550.0023

RECEIVED

09 JUL 2001

Legal Staff
International Division

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

This Petition is submitted to revive the above-identified International application which went abandoned for failure to file a U.S. National Phase application under Chapter II of the PCT or a U.S. continuation application under 35 U.S.C. § 365(c) and 37 C.F.R. § 1.53(b). This Petition is being submitted on the basis that the entire delay in filing such a U.S. National Phase application or such a U.S. continuation application from the due date for such filing until the filing of a grantable petition, namely this Petition, under 37 C.F.R. § 1.137(b), was unintentional.

The documents necessary for filing a U.S. continuation application under 35 U.S.C. § 365(c) and 37 C.F.R. § 1.53(b) were filed in the U.S. Patent and Trademark Office on March 14, 2001, by Express Mail (Express Mail Label No. EL098882611US), application number not yet known.

02/04/2002 TL0011 00000036 501017 09787368

01 FC:241

620.00 OP

Enclosed herewith is a check in the amount of \$620.00 to cover the fee for this Petition under 37 C.F.R. § 1.17(m). Please charge any additional required fees to Deposit Account No. 50-1017. (**Billing No.:071550.0023**). One extra copy of this Petition is enclosed for accounting purposes.

Reinstatement of the International application solely for purposes of copendency of the above U.S. continuation application is respectfully requested.

Respectfully submitted,

CHENICHERI HARIHARAN NAIR, ET AL.

March 14, 2001
Date

By: Alex Chartove
ALEX CHARTOVE

Registration No. 31,942

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Washington, DC 20036

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Enclosure